

DUANE A. BOSWORTH, OSB #825077

duanebosworth@dwt.com

TIM CUNNINGHAM, OSB #100906

timcunningham@dwt.com

DAVIS WRIGHT TREMAINE LLP

1300 S.W. Fifth Avenue, Suite 2400

Portland, Oregon 97201-5610

Telephone: (503) 241-2300

Facsimile: (503) 778-5299

Attorneys for Plaintiff

IN THE UNITED STATES DISTRICT COURT
DISTRICT OF OREGON
AT PORTLAND

PENGUIN GROUP (USA) INC.,

PLAINTIFF,

v.

AMERICAN BUDDHA,

DEFENDANT.

Case No. 3:13-cv-00497-HU

**DECLARATION OF DUANE A.
BOSWORTH IN SUPPORT OF
RESPONSE TO SECOND
APPLICATION FOR SPECIAL
ADMISSION - *PRO HAC VICE***

I, Duane A. Bosworth do hereby state and declare as follows:

1. I am an attorney at Davis Wright Tremaine LLP and am one of the attorneys representing plaintiff in this case. This declaration is made in support of Plaintiff's Response to Second Application for Special Admission - *Pro Hac Vice*.

2. Attached hereto as Exhibit 1 is a true and correct copy of a screen shot from the State Bar of Arizona, Find a Lawyer website.

3. Attached hereto as Exhibit 2 is a true and correct copy of the Arizona Unlawful Practice of Law Advisory Opinion, 10-02, dated February, 2010.

4. Applicant sent me a letter in which he stated:

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DWT 22358717v1 0061270-000015

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(503) 241-2300 main • (503) 778-5299 fax

Your analysis of the fact that the PLF would not cover any claim that American Buddha might theoretically assert against any covered law firm seems to resolve the important matter before the Court—whether any malpractice on my part in this action could possibly lead to PLF picking up the bill for my negligence. The answer would be “NO.” Accordingly, it would seem that provides an appropriate basis for the Court to find that the usual requirement of having professional liability insurance could be waived in the case of my *pro hac* application, since it will not expose the PLF indemnity fund to depletion by the negligence of a non-covered lawyer.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct, and that this Declaration was executed on this 30th day of July, 2013, at Portland, Oregon.

s/ Duane A. Bosworth

Duane A. Bosworth, OSB #825077